

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 43, 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Gero (2004/0046938).

Gero (2004/0046938) an apparatus for adjusting the picture definition on a camera lens of a motion picture camera (10) using a drive unit (98) connected to the camera lens (12) with an operating unit (21), which operating_unit_has a picture definition manual operating unit handwheel (27), which outputs control signals (paragraph [0036]) for manually adjusting, readjusting or delimiting adjustment range of a picture definition to the drive unit, and a scale dial (21) for displaying an adjusted picture definition and/or the delimited_adjustment range of the picture definition,

with an auto-focusing device for measuring the distance from an object to be recorded by the motion picture camera and outputting control signals to the drive unit for controlling the picture definition as a function of the measured distance from the object to be recorded (paragraphs [0026] [0037]), and

with an electromechanical actuator (97, 98) of the operating unit for adjusting or readjusting the picture definition adjusted on the picture definition handwheel or displayed on the scale dial as a function of the control signals output by the auto-

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focusing device. The electromechanical actuator may be driven by the autofocusing device, including a comparator and servo to sense the autofocus position and transmit the signal via conductor (127) to the manual control and indicator unit (handwheel) (125). Any changed position may be interpreted as being relative to a "reference".

The actuator is driven by motor/gear mechanism (98,100)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gero (2004/0046938) in view of Preston (5,092,670).

Gero discloses the invention substantially as claimed but does not specify an absolute encoder as the handwheel. Gero teaches the transmission of signals via a conductor (97). It would have been obvious to one of ordinary skill in the art to use wired or wireless signals because both are old and notorious in the art as transmission methods.

Preston teaches a manual focusing handwheel (38) provided with an absolute encoder (40).

It would have been obvious to one skilled in the art to modify the device of Gero by the use of any other known type of manual focusing “handwheel” means because such other structures would also allow for manual focus control.

Allowable Subject Matter

4. Claims 25-28, 31-40, 43-58 are allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 43-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Dowling whose telephone number is 571-272-2116. The examiner can normally be reached on MON-THURS.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William C. Dowling/
Primary Examiner, Art Unit 2878

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